

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ST. CLAIR INTELLECTUAL  
PROPERTY CONSULTANTS, INC., a  
Michigan corporation,

Plaintiff,

v.

MIRAGE SYSTEMS, INC., a California  
corporation, GEORGE J. MOUSSALLY,  
an individual, and KENNETH L. FORD,  
an individual

Defendants.

Civil Action No. 05-273 (JJF)

**DECLARATION OF CAREN K. KHOO IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS, OR, IN THE ALTERNATIVE,  
MOTION TO STAY, ST. CLAIR'S DECLARATORY JUDGMENT ACTION**

I, Caren K. Khoo, hereby affirm and declare that:

1. I am an attorney at the firm of Wilmer Cutler Pickering Hale and Dorr LLP, located at 399 Park Avenue, New York, NY 10022.
2. I submit this Declaration in Support of Defendants' Motion to Dismiss, or, in the alternative, Motion to Stay, St. Clair's Declaratory Judgment Action.
3. A true and correct copy of Complaint filed on April 12, 2005, in the California state action, Mirage v. Speasl et al., No. 1-05-CV-039164, Cal. Super., Santa Clara, is attached to this Declaration as Exhibit A.

4. A true and correct copy of the Demurrer filed by St. Clair on May 12, 2005, in the California state action, Mirage v. Speas et al., No. 1-05-CV-039164, Cal. Super., Santa Clara, is attached to this Declaration as Exhibit B.

5. A true and correct copy of Plaintiff's Ex Parte Application for Order to Extend Time to Serve Complaint on Defendant Mark K. Roberts, filed June 10, 2005, in the California state action, Mirage v. Speas et al., No. 1-05-CV-039164, Cal. Super., Santa Clara, is attached to this Declaration as Exhibit C.

6. A true and correct copy of United States Aircraft Ins. Group v. Dwiggin, No. 03-CV-173-SLR, 2004 WL 51269 (D. Del. Mar. 31, 2004), is attached to this Declaration as Exhibit D.

7. A true and correct copy of Envirometrics Software, Inc. v. Georgia-Pacific Corp., No. 97-CV-243-SLR, 1997 WL 699328 (D. Del. Nov. 4, 1997), is attached to this Declaration as Exhibit E.

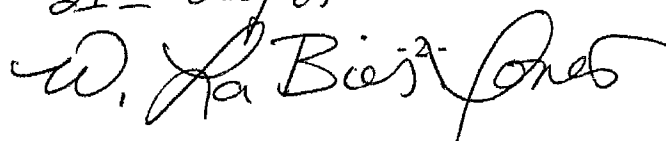
8. A true and correct copy of Profile Mfg., Inc. v. Kress, No. 93-1569, 1994 WL 108059 (Fed. Cir. 1994), is attached to this Declaration as Exhibit F.

9. A true and correct copy of Horack v. Minott, CA No. 94-958-SLR, 1995 WL 330730 (D. Del. May 26, 1995), is attached to this Declaration as Exhibit G.

10. A true and correct copy of Rudnitsky v. Rudnitsky, CA No. 17446, 2000 WL 1724234 (Del. Ch. Nov. 14, 2000), is attached to this Declaration as Exhibit H.

Dated: June 21, 2005  
New York, NY

  
Caren K. Khoo

SIGNED BEFORE ME THIS  
21<sup>st</sup> day of JUNE 2005  


W. LaBier Jones  
Notary Public, State of New York  
No. 31-01JO4877354  
Qualified in New York County  
Commission Expires Nov. 17, 2006

**CERTIFICATE OF SERVICE**

I, Edward M. McNally, hereby certify that on this 21st day of June, 2005, I electronically filed the Declaration of Caren K. Khoo in Support of Defendants' Motion to Dismiss, Or, in the Alternative, Motion to Stay, St. Clair's Declaratory Judgment Action with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

Frederick L. Cottrell, III, Esquire  
Chad Michael Shandler, Esquire  
Richards, Layton & Finger  
One Rodney Square  
Wilmington, DE 19801



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